

### **REMARKS**

The Office Action Summary page indicates that claims 1-52 are pending in the subject application and further that claims 1-52 are subject to a restriction requirement as well as an election of species requirement. Applicants note that the pending claims are claims 1-62, as is more specifically indicated in the Detailed Action portion of the above-referenced Office Action.

### **RESTRICTION REQUIREMENT**

In the above referenced Office Action, the Examiner provided that the pending claims are directed to more than one patentably distinct invention. Specifically, the Office Action provides that the claims are directed to the following seven (7) inventions: Group I including claims 2-16, drawn to a first light guide plus a SECOND light guide; Group II including claims 40-46 and 48-57, drawn to a first light guide plus an LCD; Group III including claim 47, drawn to a first light guide a SECOND light guide plus an LCD; Group IV including claims 20 and 32-33, drawn to a first light guide plus "LIGHT CONTROLLING MEANS"; Group V including claims 24-26, drawn to a first light guide plus "reflecting portions on slants"; Group VI including claims 27-31, drawn to a first light guide plus "COMPENSATION PORTIONS"; and Group VII including claims 18-19, 21-23, 35-39, and 58-62, drawn to a first light guide plus "DETAILS of the pitches and the flat and slant portions". In addition, the Examiner further indicated that claims 1, 17 and 34 were considered to be generic and that upon allowance of the generic claim applicant will be entitled to

Applicant: Y. Sawayama, et al.  
U.S.S.N.: 09/394,327  
RESPONSE TO OFFICE ACTION  
Page 3

consideration of claims to additional groups which are written in dependent form or otherwise to include all the limitations of an allowed generic claim.

Accordingly, Applicants were requested under 35 U.S.C. §121 to elect the invention to which prosecution on the merits will be restricted. In this regard, Applicants elect, with traverse, Group I, which includes claims drawn to a first light guide plus a SECOND light guide, presently embodied in claims 2-16, and the generic claims 1, 17 and 34.

Applicants traverse the restriction requirement on the grounds that certain of the groups are combinable so as to form a single grouping.

As to Groups III and VI, Applicants note that the elements of claim 47 are not a first light-directing body, a second light-directing body, and a liquid crystal display element, but rather comprise a first light-directing body, compensation means, and a liquid crystal display element. As such, it appears to Applicants that Group III should be considered as forming a single group inclusive of Group VI, which includes compensation means as an element (e.g., claim 47 of Group III claims a reflective liquid crystal display incorporating the light-directing body of claim 27 of Group VI). As to Groups V and VII, it would appear to Applicants that Group V should be considered as forming a single Group with Group VII because these groups share a common feature regarding the slope of the light-directing body.

Applicants also traverse the restriction requirement in general on the basis that, while the claims of Groups I-VII are allegedly drawn to different inventions a search for any of one of the inventions would involve considering references directed

Applicant: Y. Sawayama, et al.  
U.S.S.N.: 09/394,327  
RESPONSE TO OFFICE ACTION  
Page 4

to the prior art (i.e., same classes/subclasses) of any of the other inventions. As such, Applicants respectfully submit that, since a comprehensive search would involve consideration of the subject matter of both inventions, for efficiency the inventions could be prosecuted at the same time.

#### ELECTION REQUIREMENT

In the above referenced Office Action, the Examiner also provided that upon election of one of the above-identified Groups, Applicants also would be required to elect an appropriate species as the pending claims of any of the Groups are directed to more than one patentably distinct species. Specifically, the claims are directed to the following species: Species A, FIG. 51 [sloping down and back-up] and Species B, FIG. 1 [sloping continuously downward]. The Examiner further provided that claim 1 appeared to be generic.

In accordance with the above described election requirement, Applicants were requested under 35 U.S.C. §121 to elect a single disclosed species to which prosecution on the merits will be restricted to if no generic claim is finally held allowable. As indicated above, claim 1 was indicated as being generic. Applicants submit that prosecution on the merits should be further restricted to the claims of Group I that read on FIG. 1, which includes claims 2-16.

Applicants traverse the election requirement as provided hereinabove and with note to the fact that FIG. 51 depicts prior art as indicated, for example, on page 8 of the subject application. As such, Applicants respectfully submit that the election

Applicant: Y. Sawayama, et al.  
U.S.S.N.: 09/394,327  
RESPONSE TO OFFICE ACTION  
Page 5

requirement would appear to be inappropriate.

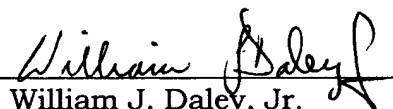
It is respectfully submitted that the subject application is in a condition for allowance. Early and favorable action is requested.

Applicants believe that additional fees are not required for consideration of the within Response. However, if for any reason a fee is required, a fee paid is inadequate or credit is owed for any excess fee paid, you are hereby authorized and requested to charge Deposit Account No. **04-1105**.

Respectfully submitted,  
EDWARDS & ANGELL, LLP  
DIKE, BRONSTEIN, ROBERTS & CUSHMAN  
*Intellectual Property Practice Group*

Date: August 28, 2002

By:



William J. Daley, Jr.  
(Reg. No. 35,487)  
P.O. Box 9169  
Boston, MA 02209  
(617) 439- 4444

Bos2 311257.1